

U.S. ENVIRONMENTAL PROTECTION AGENCY
 POLLUTION/SITUATION REPORT
 Multi-Service Site - Removal Polrep



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
 Region V**

Subject: **POLREP #4**
 Final POLREP
 Multi-Service Site
 C508
 Dayton, OH
 Latitude: 39.7717600 Longitude: -84.1294400

To: Sherry Fielding, U.S. EPA
 Jason El-Zein, U.S. EPA
 Linda Nachowicz, U.S. EPA
 Reginald Pallesen, U.S. EPA
 Michael Chezik, DOI
 Carol Ropski, U.S. EPA
 John Maritote, U.S. EPA
 Mark Durno, U.S. EPA
 Rick Karl, U.S. EPA
 Tracy Johnson, U.S. EPA
 Victor Dvorak, U.S. EPA
 Cathy Altman, Ohio EPA
 George Stroebe, Ohio EPA
 Kevin Clouse, Ohio EPA
 Scott Shane, Ohio EPA
 Dave Combs, Ohio EPA
 Dale Farmer, Ohio EPA
 Jim Mehl, Ohio EPA - DERR
 Randy Watterworth, Ohio EPA
 Carson Cockayne, Dayton Fire Department
 Denny Bristow, Dayton Regional Hazmat
 Mark Case, Montgomery County Health Department
 Distribution List, National Response Center
 Sally Jansen, ESS

From: Steven Renninger, On-Scene Coordinator

Date: 8/22/2011

Reporting Period: July 23 through August 22, 2011

1. Introduction

1.1 Background

Site Number:	C508	Contract Number:	EP-S5-08-02
D.O. Number:	30281.0076	Action Memo Date:	2/25/2011

Response Authority: CERCLA	Response Type: Time-Critical
Response Lead: EPA	Incident Category: Removal Action
NPL Status: Non NPL	Operable Unit:
Mobilization Date: 4/25/2011	Start Date: 4/25/2011
Demob Date: 8/22/2011	Completion Date: 8/22/2011
CERCLIS ID: OHN000510544	RCRIS ID:
ERNS No.:	State Notification: Ohio EPA
FPN#:	Reimbursable Account #:

1.1.1 Incident Category

Time-Critical Removal Action

1.1.2 Site Description

The Multi-Service (MS) Site contains a 27,589-square-foot building that formerly housed an industrial laundry and dry cleaning facility. The MS Site is bordered to the north and east by the Five Rivers Metro Parks bike path and a parking lot; to the south by a wooded property; and to the west by an open lot used by a tree service company for wood storage. Commercial businesses are located within 500 feet of the Site, and the closest residences are located 300 feet south and 400 feet north of the Site. The MS Site is also located approximately 1 mile southeast of the Mad River.

1.1.2.1 Location

The MS Site is located at 1962 Radio Road in Dayton, Montgomery County, Ohio 45431. The geographical coordinates for the Site are 39° 46' 18.336" North latitude and 84° 7' 45.984 West longitude.

1.1.2.2 Description of Threat

The MS facility operated at the Site from the mid-1990s to March 2010 and laundered industrial work gloves, rags, ink towels and shop towels. The dry cleaning process used a perchloroethylene (PCE)-based solvent known as "360 Solvent" with a flashpoint of 105 degrees Fahrenheit (°F).

In 2002, the MS facility had ongoing discharge violations to the City of Dayton's sanitary sewer.

In 2003, 2004, and 2005, the Southern Ohio Environmental Crimes Task Force (Task Force) covertly sampled the MS facility's discharge and determined that the MS facility was discharging flammable liquids to the sewer. The Task Force also uncovered additional hazardous waste violations during its investigation.

As a result of the Task Force investigations, in August 2006, the owner of the MS facility, pled guilty to felony and misdemeanor charges related to the discharge into the sewer and transportation of hazardous waste. The MS facility was fined \$20,000 and placed on 2-year probation. The owner was sentenced to 2 years probation, the first 6 months of which consisted of in-home confinement; fined \$5,000; and ordered to serve 100 hours of community service.

Based on the Ohio Environmental Protection Agency's (Ohio EPA) Division of Surface Water concerns regarding waste management at the Site, in May 2009, the Ohio EPA's Division of Hazardous Waste Management (DHWM) conducted a compliance assistance inspection at the Site. At that time, the MS facility was not exceeding the 90-day storage limit for hazardous wastes stored in tanks and totes. Subsequent hazardous waste inspections were conducted on June 4 and 15, 2009. Based on these inspections, it was determined that the MS facility was exceeding the 90-day storage limit for hazardous waste.

Additional inspections revealed that the MS facility also was exceeding the 90-day storage limit for hazardous waste stored in a 6,300-gallon tank located outside of the building. The outdoor Hazardous Waste Storage Tank did not have proper secondary containment. Access to the tank was limited by the design of the containment wall. The tank had not been cleaned out since 2008.

Throughout 2009 and 2010, the MS facility continued to violate the 90-day storage limit for hazardous waste. The Ohio EPA DHWM referred the MS facility for enforcement in October 2009. The Ohio EPA Director's Draft Findings and Orders were sent to the MS facility in February 2010.

During inspections at the Site on January 12 and 21, 2010, the Ohio EPA DHWM observed a leaking hazardous waste drum that had been documented during earlier inspections. The leak from the drum was corrected during an inspection on January 27, 2010. During Site inspections on April 7 and 21 and May 5, 2010, another leaking drum was observed, but no corrective actions were taken until the drum was shipped off site on May 28, 2010.

Crown Solutions (Crown) operated the MS facility's wastewater treatment unit. Crown met with the site owner on March 5, 2010. During the meeting, the owner informed Crown that MS was filing for bankruptcy. Crown subsequently contacted the Ohio EPA to explain that Crown no longer operated the wastewater treatment unit at the MS facility and was discontinuing its business with MS. According to Crown, MS attempted to operate the wastewater treatment unit on its own the previous week and had caused a pipe to break, releasing waste onto the floor around the equalization tanks. This situation prompted Crown to remove equipment from the wastewater treatment unit to prevent the unit from being operated on March 9, 2010. The City of Dayton rescinded MS's discharge permit on March 15, 2010.

Due to inaction by the MS facility and rumors of bankruptcy, the Ohio EPA referred the MS facility to the Attorney General's Office for enforcement. On April 16, 2010, the Attorney General's Office met with MS in an attempt to obtain compliance. During the meeting, the site owner provided financial information detailing the expenses owed by MS.

On April 20, 2010, MS hired Mike's Sanitation to pump out waste from the wastewater treatment unit and associated tanks. On April 22, 2010, the Ohio EPA sampled wastes from the two equalization tanks (#1 and #2), the Chemical Mixing Tank, the Wastewater Treatment Pit, and the wastewater treatment unit. Samples from Equalization Tank #2, the Chemical Mixing Tank, and the Wastewater Treatment Pit had flashpoints of 137, 132, and 131 °F, respectively, indicating that the tank contents were ignitable hazardous wastes. In addition, a liquid sample from the Chemical Mixing Tank had a Toxicity Characteristic Leaching Procedure (TCLP) PCE concentration of 30 milligrams per liter (mg/L), which exceeds the TCLP PCE regulatory limit of 0.7 mg/L, thus indicating that the tank contained a toxic waste.

In April 2010, JP Morgan Chase initiated foreclosure against MS but to date has not finalized the foreclosure action.

On May 26, 27, and 28, 2010, Clean Harbors transported 49 totes and 22 drums off site for disposal. Ohio EPA records indicate that no additional wastes have been transported off the site since the May 2010 shipment.

In August 2010, the site owner filed for personal bankruptcy.

On November 23, 2010, the Ohio EPA accompanied the Dayton Fire Department (DFD) on an inspection of the MS facility. The DFD was concerned about the storage of flammable materials and a non-operational fire suppression system at the Site.

On November 24, 2010, the DFD issued a Notice of Violation to the Site owner and the MS facility, ordering the removal of all flammable and combustible materials from the Site.

On December 14, 2010, the DFD met with Site owner at the Site to conduct an inspection and verify that the fire suppression system was properly shut down. The DFD gave the Site owner 90 days to develop an action plan for the removal of flammable and combustible materials from the Site. During the inspection, the DFD observed liquid leaking from a solvent tank in the Tank Room.

In a letter dated January 7, 2011, the DFD formally requested assistance from the U.S. EPA to determine if the Site met the criteria for a time-critical removal action. In a letter dated January 24, 2011, the Ohio EPA formally requested assistance from the U.S. EPA to determine if the MS Site met the criteria for a time-critical removal action. According to the Ohio EPA, since cessation of operations at the Site in March 2010, all on-site tanks are now considered waste tanks. Also according to the Ohio EPA, tanks associated with the solvent recovery process located in the Tank Room contained dirty solvent presumed to be ignitable. One of these tanks leaked waste solvent to a depth of approximately 2 inches in the Tank Room. In addition, three tanks associated with the wastewater treatment unit contained ignitable wastes.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

On January 27, 2011, U.S. EPA conducted a site assessment at the MS Site and observed and documented the presence of eight tanks; a pit; a sump; and approximately 50 drums, totes, and small containers (5 gallons or less). U.S. EPA collected 10 liquid, 1 sludge and liquid, and 2 solid waste samples from tanks, drums, totes, pits, containers and a trench at the Site. Based on analytical results for samples collected during the site assessment, the tanks, drums, totes, and containers contain flammable liquids, caustic liquids, corrosive solids, and toxic liquid wastes.

Hazardous wastes identified at the Site exhibit the following characteristics:

- Ignitability
- Corrosivity
- Toxicity (TCLP PCE [D039])

Based on the analytical results and Site conditions observed during the site assessment, the Site met the criteria for a removal action pursuant to 40 CFR 300.415(b)(2).

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

On February 25, 2011, the U.S. EPA Action Memorandum was signed by the Director of the U.S. EPA Region V Superfund Division approving funding for a time-critical removal action at the MS Site.

On March 9, 2011, the Emergency Contingency Plan was finalized by U.S. EPA and distributed to the DFD.

On April 7, 2011, a delivery order was issued to the ERRS contractor (EQM) to conduct time-critical removal activities at the Site.

On May 3, 2011, U.S. EPA, START and ERRS personnel mobilized to the site to begin time-critical removal activities.

During the week of May 3, 2011, all drums, tanks and containers were sampled.

From May 7 through June 3, 2011, all drums, tanks and containers were hazard categorized and wastestreams were profiled for disposal. ERRS initiated off-site disposal the flammable liquid and neutral liquid wastestreams.

From June 4 through July 22, 2011, ERRS solidified flammable sludge, continued off-site disposal of waste, and continued cleaning out the facility building.

2.1.2 Response Actions to Date

Week of July 25, 2011

Three rolloff boxes containing solidified flammable sludge were transported for off-site disposal to EQ, Belleville, MI.

Off-hours site security was conducted.

Week of August 1, 2011

ERRS subcontractor, CMC, mobilized to the site with heavy equipment and a shears attachment and removed and cut apart the vertical tanks located in the Tank Room following decontamination. The "Hazardous Waste" tank located outside of the facility was decontaminated and cut apart using the shears attachment.

ERRS completed solidifying all flammable sludge with the solidification agent. ERRS initiated sweeping the facility floor with brooms and using a pressure washer to clean the floors. ERRS completed decontamination of the 5 trenches within the facility.

ERRS transported three 20-cubic yard rolloff boxes containing non-hazardous debris for off-site disposal to Waste Management's Stony Hollow Landfill, located in Dayton, OH.

ERRS transported four rolloff boxes containing scrap metal (19.5 tons) for recycling to Franklin Iron & Scrap, located in Dayton, OH.

ERRS transported one rolloff box containing solidified flammable sludge for off-site disposal to EQ, Belleville, MI.

Off-hours site security was conducted.

Week of August 8, 2011

ERRS completed pressure washing the floor in the Tank Room. ERRS initiated removing the process piping inside the building. ERRS removed and disposed visibly-stained wall insulation. ERRS pressure washed the floor inside the building. All decontamination water was collected and placed into a baker storage tank pending off-site disposal.

ERRS transported two 20-cubic yard rolloff boxes containing non-hazardous debris for off-site disposal to Waste Management's Stony Hollow Landfill, located in Dayton, OH.

ERRS transported 3 rolloff boxes containing scrap metal (14.75 tons) and one rolloff box containing scrap copper (970 pounds) for recycling to Franklin Iron & Scrap, located in Dayton, OH.

ERRS transported two rolloff boxes containing solidified flammable sludge for off-site disposal to EQ, Belleville, MI.

Off-hours site security was conducted.

Week of August 15, 2011

ERRS completed sweeping and power-washing the facility floor. ERRS completed filling in each of the five trenches with concrete. ERRS completed installing approximately 5 inches of concrete on the Tank Room flooring. ERRS completed cleaning out all debris from the building.

ERRS transported one rolloff box containing solidified flammable sludge for off-site disposal to EQ, Belleville, MI.

ERRS transported one tanker truck containing 4,227 gallons of toxic decontamination water to PetroChem, in Detroit, MI.

ERRS transported two 20-cubic yard rolloff boxes containing non-hazardous debris for off-site disposal to Waste Management's Stony Hollow Landfill, located in Dayton, OH.

ERRS transported 2 rolloff boxes containing scrap metal (6.17 tons) for recycling to Franklin Iron & Scrap, located in Dayton, OH.

Off-hours site security was conducted through the morning of August 18th.

Week of August 22, 2011

On August 22, 2011, ERRS demobilized from the site. The removal action is completed.

On August 22, 2011, U.S. EPA met with representatives from Ohio EPA and DFD at the site to conduct a final inspection of the completed removal action.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

U.S. EPA has identified various PRPs for this Site, but none of the identified PRPs were capable to fund the removal action.

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Quantity</i>	<i>Manifest #</i>	<i>Treatment</i>	<i>Disposal</i>
Flammable Liquid	Liquid	14,925 gallons	various	Fuels Blending	Petro-Chem Detroit, MI
Flammable solvent-soaked rags and shop towels	Solid	3 rolloff boxes	various	Incineration	PSC (Ross Incinerator) Detroit, MI
Decontamination Water (Toxic)	Liquid	4,227 gallons	008904406JJK	Treatment	Petro-Chem Detroit, MI
Flammable Sludge (solidified)	Solid	13 rolloff boxes	various	Landfill	EQ Belleville, MI
Non-hazardous debris	Solid	15 rolloff boxes	Not applicable	Landfill	Waste Management - Stony Hollow Landfill Dayton, OH
Scrap metal	Solid	164.37 tons	Not applicable	Recycling	Franklin Iron & Scrap Dayton, OH
Scrap metal (copper)	Solid	970 pounds	Not applicable	Recycling	Franklin Iron & Scrap Dayton, OH
E-Waste	Solid	6 pallets	Not applicable	Recycling	Ohio Drop Off Columbus, OH

2.2 Planning Section

2.2.1 Anticipated Activities

None.

2.2.1.1 Planned Response Activities

See Section 2.2.1.2.

2.2.1.2 Next Steps

None.

The removal action is completed.

2.2.2 IssuesGreen Initiative Efforts:

U.S. EPA recycled approximately 164.37 tons of scrap metal and 970 pounds of scrap copper.

In addition, U.S. EPA recycled 6 pallets of E-Waste (electronic waste, such as old printers, copiers, phones, etc) that was collected from within the facility. The E-Waste was recycled at no cost to the U.S. EPA.

2.3 Logistics Section

Not applicable.

2.4 Finance Section**2.4.1 Narrative**

U.S. EPA is funding the removal action. The approximate costs below are as of 8/17/11.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$800,000.00	\$441,541.00	\$358,459.00	44.81%
TAT/START	\$60,000.00	\$41,116.00	\$18,884.00	31.47%
Intramural Costs				
USEPA - Direct	\$50,000.00	\$41,000.00	\$9,000.00	18.00%
Total Site Costs	\$910,000.00	\$523,657.00	\$386,343.00	42.46%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Safety Officer

The HASP was finalized on April 27, 2011.

The HASP was reviewed and signed by Site personnel on May 3, 2011.

Sludge solidification activities were conducted in Level B respiratory protection.

Due to the extreme heat, heat stress monitoring was conducted prior to and after each entry into the facility building.

2.6 Liaison Officer

Not applicable.

2.7 Information Officer

2.7.1 Public Information Officer

Not applicable.

2.7.2 Community Involvement Coordinator

Not applicable.

3. Participating Entities

3.1 Unified Command

Not applicable.

3.2 Cooperating and Assisting Agencies

Dayton Fire Department - Carson CocKayne

Ohio EPA - Cathy Altman

4. Personnel On Site

U.S. EPA -- 1 OSC

START -- 1 WESTON START

ERRS -- 3 EQM and 5 Inland Waters of Ohio

5. Definition of Terms

6. Additional sources of information

6.1 Internet location of additional information/reports

For additional information such as a copy of "U.S. EPA's Site Assessment Report" or the "Emergency

Contingency Plan", please refer to the "Documents" Section of the project website

<http://www.epaosc.org/>.

6.2 Reporting Schedule

This is the FINAL pollution report for the site.

7. Situational Reference Materials

Not applicable.





